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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,632	09/08/2000	Nimrod Megiddo	ARC9-2000-0029-US1	5946

26381 7590 11/12/2003
LACASSE & ASSOCIATES, LLC
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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT	PAPER NUMBER
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3629

DATE MAILED: 11/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

09/658,632

Applicant(s)

MEGIDDO ET AL.

Examin r

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on th cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. **Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slotznick (US 6,011,537).**
3. As per independent Claims 1, 11, 18, and 19, Slotznick discloses a method (*system, computer-based e-commerce method*) for enhancing the effectiveness of on-line advertising, said on-line advertising performed over a communications network including one or more of: a web site, at least one remote terminal, and a communication network interconnecting said web site and said remote terminal, said method comprising the following steps: processing a request of one or more web pages from said web site (*using browser software*); receiving one or more ads (secondary information) associated with each of said one or more web pages and displaying said one or more web pages and associated ads at said remote terminal (Abstract, C4 L38-67, C24 L10-49); retaining in computer storage (*browser cache*) one or more ads associated with each of said one or more web pages displayed (*and maintaining information about hyperlinks contained in said web pages*), and wherein said ads retained in said computer storage (*browser cache*)

are (*selectively*) retrievable at said remote terminal thereby enhancing the effectiveness of said on-line advertising (Abstract, C28 L25-39).

4. Slotznick fails to expressly disclose an ad website that includes an ad database.
5. However, Slotznick does disclose wherein secondary information is downloaded in the form of advertisement banners, and it would be inherent that this advertisement information would be obtained from an ad website (remote website) that included an ad database (server) (abstract, C24 L10-49), as such systems were well known at the time the invention was made.
6. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included an ad website that includes an ad database, in the system disclosed by Slotznick, for the advantage of providing a method (system, computer-based e-commerce method) for enhancing the effectiveness of on-line advertising, with the ability to efficiently and effectively provide advertisements to users through a organized system.
7. As per Claims 2 and 12, Slotznick discloses wherein said remote terminal is operatively connected to a browser, a bookmark memory and an intelligent browser cache, at least said intelligent browser cache retained with said computer storage (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
8. As per Claims 3 and 13, Slotznick discloses wherein said intelligent browser cache stores said one or more web pages displayed and maintains information about hyperlinks

- contained in said web pages (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
9. As per Claim 4, Slotznick discloses wherein said bookmark memory saves said ads at said remote terminal (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
10. As per Claims 5 and 14, Slotznick discloses wherein said bookmark memory is either permanently maintained or temporarily kept for a predetermined period of time (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
11. As per Claims 6, 15, and 20, Slotznick discloses wherein the differences between a new page and a previously viewed web page are determined in terms of their associated hyperlinks (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
12. As per Claims 7, 16, and 21, Slotznick discloses wherein said ads from said new page and said previously viewed web pages are displayed at said remote terminal in one or more windows (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).

13. As per Claims 8 and 17, Slotznick discloses displaying previous position specific ads upon receiving a selection of a corresponding position of advertising in a presently displayed web page (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
14. As per Claims 9, Slotznick discloses wherein said on-line advertising may be implemented locally or remotely on one or more computer-based systems, across networks or communication mediums (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).
15. As per Claims 10, Slotznick discloses wherein said communication network comprises any of LANs, WANs, Internet or web-based networks (Abstract, Figs.2-3, Figs. 9-13, Figs. 16-18, C1 L26-59, C2 L26-57, C3 L48-67, C4 L1-67, C15 L37-47, C17 L26-59, C19 L55-58, C24 L10-67, C25 L1-39, C26 L26-61, C28 L25-58, C30 L24-34, C32 L21-32, Claims 1-13, Claim 17).

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
17. The following foreign patent is cited to show the best foreign prior art found by the examiner:

Japanese Pat. No. JP 09091215A to Okita et al.

Okita discloses a system, which has an agency server, connected to a document perusal client through a network. A detector detects whether renewal of advertisement document stored in a cache memory is to be performed, based on the display priority of display candidate list being stored in a memory part of the client.

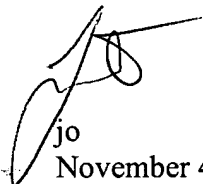
An advertisement document transfer demand is transmitted from a document display management part to the agency server, during empty time of hypermedia document transfer. The transferred document is stored in a cache memory. The display management part selects an advertisement document to be displayed out of that stored in the cache memory and displays on a display device. The display is performed during the period, when the document is being transferred from the hypermedia document management server to the client.


18. The following non-patent literature is cited to show the best non-patent literature prior art found by the examiner:

“Cache on delivery – Web-caching is being touted as a way to ease congestion and avoid the cost of extra bandwidth. But, as Andy Donoghue finds, it is not without its problems.” Network News, p25, September 9, 1998.

Network News discloses web-caching tools and techniques used for retrieving Internet data.

19. Additional Non-Patent Literature has been referenced on the attached PTO-892 form, and the Examiner suggests the applicant review these documents before submitting any amendments.
20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (703) 605-0662. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned (703) 872-9306 for all official communications.
22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-5484.


jo
November 4, 2003


JOHN G. WEISS
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